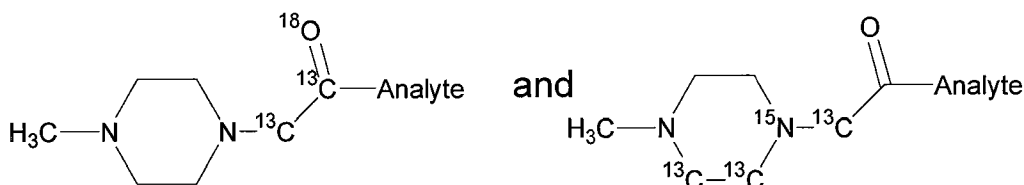


RESPONSE

1. Restriction

The Restriction Requirement asserts that restriction between claims 1-13 is proper and requests that Applicants elect for further prosecution one of Groups I-II, wherein Group I consists of claims 1-6 and Group II consists of claims 7-13. Applicants elect Group II claims 7-13, without traverse.

At page 3, the restriction requirement further requires Applicants to elect a single disclosed species for prosecution on the merits to which claims shall be restricted if no generic claim is finally held to be allowable. In underlined text, Applicants are requested to “... elect a particular combination of two ore [sic] more compounds from amongst those recited in claims 1 or 8 [it is believed that the Examiner means claims 1 or 7], including a corresponding analyte from amongst the following: ...”. Because Applicants are compelled to make said election, Applicants elect the combination of fragment ions derived from labeled analytes of formula:



wherein the analyte is a protein or peptide. Applicants believe that claims 7, 8 and 13 read on this elected combination. Applicants further believe that because of the amendment set forth above, claims 14, 15 and 20 also read on this elected combination.

2. Amendment

The amendment set forth above cancels claims 1-6 pursuant to the Restriction Requirement. The amendment set forth above also clarifies the claim language of claim 7. Antecedent basis for these changes can be found throughout the specification but in particular at page 20, line 11 to page 27, line 10. Newly added claims 14-20 mirror claims 7-13 except that claim 14 does not require that the fragmentation and analysis be performed in a tandem mass spectrometer. Antecedent basis for this amendment can be found throughout the specification but in particular at page 26, line 21 to page 27, line 10.

It is believed that no new matter has been added by this amendment.

3. Other Co-Pending Applications Owned by Applera Corporation

For the convenience of the Examiner, reference is made to the following copending applications owned by Applera Corporation. The Examiner is invited to review the claims of these applications for consideration of any issue and for purposes of any obviousness type double patenting rejections. Undersigned Applicants' counsel is also available to discuss the state of prosecution or an issue related to the status of the foregoing to assist the Examiner in any way needed.

| Title | Serial No. | Filing Date |
|--|-------------------|--------------------|
| Methods And Mixtures Pertaining To Analyte Determination | 10/765,458 | 27 Jan 2004 |
| Methods And Mixtures Pertaining To Analyte Determination Using Electrophilic Labeling Reagents | 10/765,264 | 27 Jan 2004 |
| Compositions And Kits Pertaining To Analyte Determination | 10/765,267 | 27 Jan 2004 |
| Method And Apparatus For De-Convoluting A Convolutd Spectrum | 10/916,629 | 12 Aug 2004 |
| Analysis Of Mass Spectral Data In The Quiet Zones | 10/999,638 | 24 Nov 2004 |
| Active Esters of N-Substituted Piperazine Acetic Acids, Including Isotopically Enriched Versions Thereof | 10/751,354 | 05 Jan 2004 |
| Isotopically Enriched N-Substituted Piperazine Acetic Acids And Methods For The Preparation Thereof | 10/751,387 | 05 Jan 2004 |
| Isotopically Enriched N-Substituted Piperazines And Methods For The Preparation Thereof | 10/751,388 | 05 Jan 2004 |
| Isobarically Labeled Analytes And Fragment Ions Derived Therefrom | 10/852,730 | 24 May 2004 |
| Determination of Analyte Characteristics Based Upon Affinity Binding Properties | 11/069,277 | 01 Mar 2005 |
| Preparation Of Biologically Derived Fluids For Biomarker Determination By Mass Spectrometry | 11/051,807 | 04 Feb 2005 |
| Isobaric-Coded Mass Tags for Quantitative Protein Analyses with Tandem MS | 11/179,060 | 11 Jul 2005 |
| Mixtures of Isobarically Labeled Analytes and Fragment Ions Derived Therefrom | 10/751,353 | 05 Jan 2004 |
| Kits Pertaining to Analyte Determination | 11/623,510 | 16 Jan 2007 |
| Sets and Compositions Pertaining to Analyte Determination | 11/673,809 | 12 Feb 2007 |
| Analyte Determination Utilizing Mass Tagging Reagents Comprising a Non-Encoded Detectable Label | 11/769,890 | 28 Jun 2007 |
| Methods, Mixtures, Kits and Compositions Pertaining to Analyte Determination | 11/625,688 | 22 Jan 2007 |

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|---|------------|-------------|
| Methods, Mixtures, Kits and Compositions Pertaining to Analyte Determination | 11/319,685 | 28 Dec 2005 |
| Methods, Mixtures, Kits and Compositions Pertaining to Analyte Determination | 11/770,212 | 28 Jun 2007 |
| Mixtures of Isobarically Labeled Analytes and Fragment Ions Derived Therefrom | 10/822,639 | 12 Apr 2004 |
| Isotopically Enriched N-Substituted Piperazines and Methods for the Preparation Thereof | 12/001,734 | 11 Dec 2007 |
| Methods, Compositions and Kits Pertaining to Analyte Determination | 11/970,470 | 07 Jan 2008 |

It is believed that this response addresses all the issues raised in the present Action and the application is in ready condition for allowance. In consideration of the preceding amendments and remarks, Applicants hereby respectfully request reconsideration of all pending claims and the issuance of a Notice of Allowance by The Office.

If the Examiner believes a telephonic or personal interview would advance the prosecution of the subject application, the Examiner is invited to contact attorney Kurt T. Mulville during business hours at the telephone or facsimile numbers listed below.

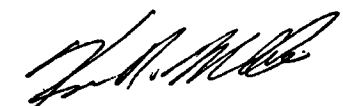
Please charge \$460.00 for a two month extension fee to Applied BioSystems, Inc.'s Deposit Account No. **01-2213** for the above fee(s). The Commissioner is authorized to charge any fees required by the filing of these papers, and to credit any overpayment to Applied BioSystems, Inc.'s Deposit Account No. **01-2213**.

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

Dated: January 10, 2008

By: _____


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